

2019

LAW

(Civil Procedure Code And Limitation Act)

Paper No. 5:1

Full Marks : 100

Pass Marks : 40

Time : 3 hours

DIMAPUR LIBRARY
Hill View Colony
Dimapur : Nagaland

*The figures in the margin indicate full marks
for the questions*

Answer question no. 1 and any five questions from the rest.

1. Write short on notes: *(Any four)* 4x5
- a) Injunction
 - b) Constructive Res-Judicata
 - c) Representative Suit
 - d) Foreign Judgement
 - e) Estoppel
2. Under what circumstances the High Court can exercise its revisional power under the code? Discuss the extent and limitation of the High Court powers of revision with the help of a recent leading case? 8+8
3. Distinguish between: 8+8
- a) Miss-Joinder and Non-Joinder
 - b) Reference and Review

(Please turn over)

4. What do you mean by pleading? When can amendment of pleadings be allowed. 6+10
5. Discuss the provisions for determining the jurisdiction of Civil Court? What is the procedure when the court has no jurisdiction to try a suit filed before it? Give some leading cases. 16
6. a) Appeal and Second Appeal 8
b) Error of law and Error of facts 8
7. What are the four essentials of a suit? Describe the different stages of a suit? 4+12
8. When can a civil court grant temporary injunction? What are the procedures for granting temporary injunctions? What is the remedy for valuation of temporary injunction? 16
9. Write in brief the important provision of law of limitation. What do you mean by 'barred by limitation'? 16
10. Make a critical assessment of the facts and principles of the case:- 16

Union Carbide Corp
Vs.
Union of India;
AIR 1992 SCC 248 (1991) 4 SCC 584

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